

Notice of Allowability

Application No.

09/943,603

Examiner

Kibrom K. Gebresilassie

Applicant(s)

SWOBODA, GARY L.

Art Unit

2128

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/28/2005.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


KAMINI SHAH
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

1. Claims 1-20 have been presented for examination based on applicant's amendment filed on 11/28/2005.
2. Claims 1- 20 are allowed.

Response to Arguments

3. Applicants arguments filed on 11/28/2005 have been fully considered.
4. **Regarding amendments to the specification:** The examiner withdraws the objections to the specification in view of applicant's amendment to the specification and arguments filed on 11/28/2005.

Regarding applicant's response to double patenting and Terminal

Disclaimer: The terminal disclaimer filed on 11/28/2005 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of prior Patent No. 6,912,675 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Regarding applicant's response to 102 rejection: Applicant's arguments, see page 18 lines 7-16, filed 11/28/2005, with respect to claims 1 and 11 have been fully considered and are persuasive. The rejections of claims 1 and 11 have been withdrawn.

Regarding applicant's response to 103 rejection: Applicant's arguments, see page 23 lines 5-14, filed 11/28/2005, with respect to claims 18 has been fully considered and are persuasive. The rejection of claim 18 has been withdrawn.

Allowable Subject Matter

5. Claims 1-20 are allowed.
6. The following is an examiner's statement of reasons for allowance:

The primary reason for allowance of Claim 1-10 is the prior art of record fail to teach or in combination with another prior art the limitation of "detecting a condition wherein the bits of a first group within the plurality of bits of said parameter value all have the same bit value and predetermined bit within a second group of the plurality of bits of said parameter value has a bit value equal to the bit value of the bits of the first group, " and " in response to detection of said condition, outputting from the data processor via terminals thereof only the second group of bits of said parameter value without outputting the first group of bits of said parameter value".

The primary reason for allowance of Claim 11-20 is the prior art of record fail to teach or in combination with another prior art the limitation of " said apparatus including an evaluator coupled to said input for detecting a condition wherein the bits of a first group within the plurality of bits of said parameter value all have the same bit value and predetermined bit within a second group of the plurality of bits of said parameter value has a bit value equal to the bit value of the bits of the first group of bits of said parameter value, said evaluator operable for providing condition information which indicates that said condition has been detected."

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Communications

7. Any inquiring concerning this communication or earlier communication from the examiner should be directed to Kibrom K. Gebresilassie whose telephone number is (571) 272-8571. The examiner can normally be reached on Monday-Friday, 8:30 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner supervisor, Kamini shah can be reached at (571) 272-2279. The official fax number is (571) 273-8300. Any inquiring of a general nature relating to the status of this application should be directed to the group receptionist whose telephone number is (571) 272-3700.

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